

A.O. No. 438 of 2001

Jeet Singh Appellant

Versus

Arjun Singh Respondents.

.....

Hon. A.A. Desai, C.J.

Hon. M.C. Jain, J.

The applicant met with an accident on 4.8.1999 owing to rash and negligent driving of a truck no. UP 07G-3170 and sustained certain injuries on his person. According to him, he was an agriculturist and was also working as mason earning Rs. 3000/- per month. The claims Tribunal awarded to him a total compensation of Rs. 3,40,000/- with interest @ 9% per annum. Dissatisfied, he preferred this appeal for enhancement of the amount of compensation.

The claimant sustained injuries in both of his legs and one of his leg got shortened by 4 cms.

We have heard learned counsel for the appellant and have gone through the Award passed by the Claims Tribunal. We are of the opinion that the compensation awarded by the Tribunal is not only just, reasonable and fair, rather it is on higher side. In addition of awarding Rs. 2,20,000/- for medical treatment, Rs. 20,000/- for pain and agony and Rs. 60,000/- for pecuniary loss for a period of 20 months (during which time he remained under treatment) @ Rs. 3000/- per month. The Tribunal has also awarded Rs. 40,000/- towards further treatment of the petitioner. Judged by any liberal standard, the total amount of compensation of Rs.3,40,000/- awarded by the Tribunal can not be said to be inadequate. We see no merit in the appeal and is hereby dismissed.

(A.A. Desai, C.J.)

(M.C. Jain, J.)

Dt. 21.05.2001

A